

Buying A Home? Here's What You Need To Know About Lead Based Paint!



Why should I be concerned about lead-based paint when buying a home?

Today, 83% of private housing and 86% of public housing built before 1980 contains some lead-based paint. While the use of lead-based paint began to drop in the 1950's, it was not stopped altogether until it was banned for home use in 1978.

Is all lead-based paint considered hazardous?

Lead-based paint that is in good condition is usually not harmful. Lead-based paint is considered a hazard if it is peeling, chipping, chalking, or cracking. It can also be hazardous if it is on surfaces that get a lot of wear and tear or that children chew such as—

- Windows and window sills
- Doors and door frames
- Stairs, railings and banisters
- Porches and fences

Lead dust from old paint can also contaminate the soil around the house and cause lead dust inside the house.

Why is buying a home a good time to think about lead?

A vacant house presents a great opportunity to address identified lead hazards safely. That's because there are no concerns about contaminating your family or belongings if renovation work needs to be done.

What if I'm selling or renting a home built before 1978? What are my responsibilities?

- Tell the purchaser or renter and give the purchaser or renter any records on any known lead-based paint hazards in the home.
- Give the purchaser or renter the EPA pamphlet titled *Protect Your Family from Lead in Your Home*. This pamphlet is available on the EPA website, <http://www.epa.gov/lead/leadpdf.pdf>.
- If selling the home, offer the purchaser 10 days—or another mutually agreeable period, to have a certified lead professional conduct a lead risk assessment or inspection before the home is sold.

Is the seller required to remove any lead-based paint that is discovered during an inspection?

No. The seller does not have to remove any lead-based paint hazards found during testing. With the test results, however, you can ask the seller to hire a certified professional to fix any hazardous lead-based paint conditions, or lower the sale price so you can hire a certified professional. To do this, the sales contract must include a clause that permits further negotiations based on the lead test results. Make sure all lead-related work is done by a certified lead professional.

As a purchaser, am I required to conduct and finance the inspection?

No. The law simply ensures that you have the opportunity to test for lead before purchase.

What are the responsibilities of a real estate agent?

Agents must ensure that:

- Sellers and landlords are made aware of their obligations.
- Sellers and landlords disclose the proper information to purchasers and tenants.
- Sellers give purchasers the opportunity to conduct an inspection.
- Lease and sales contracts contain the appropriate notification and disclosure language and proper signatures.

--Adapted from "Buying a Home? Here's What You Need to Know About Lead-Based Paint!" Environmental Protection Agency, January 2000.